

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS SHERMAN DIVISION**

**GIBSON BRANDS, INC.,**

*Plaintiff,*

v.

**ARMADILLO DISTRIBUTION  
ENTERPRISES, INC., and CONCORDIA  
INVESTMENT PARTNERS, LLC,**  
*Defendants.*

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**Civil Action No. 4:19-CV-358**

**PLAINTIFF'S ADMITTED TRIAL EXHIBIT LIST**

<b>Exh #</b>	<b>Bates Numbers</b>	<b>Document Type</b>	<b>Document Title</b>
0001	114304-114305	USPTO Registration Certificate	FV Body Shape Design® (U.S. Reg. No. 2051790) 02.16.2021
0002	114306-114309	USPTO Registration Certificate	Explorer Body Shape Design® (U.S. Reg. No. 2053805) 02.16.2021
0004	114314-114315	USPTO Registration Certificate	ES Body Shape Design® (U.S. Reg. No. 2007277) 02.16.2021
0005	114316-114317	USPTO Registration Certificate	FLYING V® Word Mark (U.S. Reg. No. 1216644) 02.16.2021
0008	114327-114328	USPTO Registration Certificate	HUMMINGBIRD® Word Mark (U.S. Reg. No. 1931670) 02.16.2021
0012	114336-114354	USPTO Filing/ Order Certificate	TTAB Ruling for Opp. No. 91170847 regarding DWPH, <i>Gibson Guitar Corp. v. Concordia Investment Partners, Inc.</i> , (TTAB June 10, 2009)(from Concordia Ser. No. 76619498 file wrapper)
0014	015425-015437	Agreement (Draft)	Dean Proposed Worldwide License, Consent and Settlement Agreement (Concordia Investment Partners, Inc. and Armadillo Enterprises, Inc.)

*Emilie E. Hubbard* *StD*

			121704 draft
0020	61600-61605	Email	01.30.2015 Email from Dave Berryman
0022	015478-015486; 015496-015504	Settlement Agreement	WowWee USA, Inc signed; Gibson signed
0034	114625-114628	USPTO Registration Certificate	G Body Shape Design® (U.S. Reg. No. 2215791) 2.16.2021
0042	114798-114836	Certified Complaint	<i>Gibson v. Wowwee USA, Inc., et. al.</i> (Civil Case No. 10-cv-08884; Dkt. No. 1) 11.18.2010
0044	114887-114890	USPTO Registration Certificate	Reg. Cert. Dove Wing Peg Head Design® (U.S. Reg. No. 1020485) 02.16.2021
0048	003556-003564	Consent Judgement	Gibson Guitar Corp. v. The ESP Company, Ltd. of Japan and ESP Shibuya Enterprises, Inc. (Civil Action No. 3:99 – 0367; U.S. Dist. Court for the Middle Dist. Of Tenn., Nashville Division)
0051	115069-115079	USPTO Filing Certificate	Elliott Robinson Declaration re Distinctiveness (paragraph 24)(Ser. No. 76172953 – Filed November 29, 2000 by Concordia) 04.12.2021
0054	014931-014933	Exclusive Artist Endorsement Agreements	Michael Duff McKagan – Guns N Roses; 07.22.1987 SLASH – Guns N Roses 05.26.1987
0055	ARMADILLOE DTX00005952- 00005953	Email	Email from Josh Maloney and Dave Mustaine (debut SG, Michael Volbet) 12.17.2012
0061	115080-115088	Summary Chart (FRE 1006)	Gibson Artist Endorsement Agreements (2-85 sup doc)
0062 excerpt	000204-000320	Book	An Odd-Shaped History of Gibson's Weird Electric Guitars by Tony Bacon
0066	ARMADILLOE DTX 00000827	Video (3:41)	Play Authentic Video (YouTube) – Mark Agnesi
0070	ARMADILLOE DTX 00008894- 00008896	Email	Email chain from Chris Cannella to Mark Huang 03.13.2018
0073	ARMADILLOE DTX 00004413- 00004414	Email	August 2, 2012 email from Eric Stewart and Josh Maloney
0074	ARMADILLOE DTX 00006377- 00006379	Email	Email from Eric Stewart and various others at Dean 07.09.2008

0077	ARMADILLOE DTX 00006846	Email	January 4, 2019 Email chain from Dave Mustaine and Josh Maloney
0100	115118-115122	Ad	Graphic Designs Print Campaign (Marketing Ad Materials – Look for Ad) for Gibson. Includes warning to public that the unique guitar body shapes are Trademarks of Gibson and copying these shapes is a violation of Gibson's rights.
0137	015363-15388	Agreement	Norlin Music Inc., Elger Co., Chesbro Music Co, Hoshino Gakki Ten, Inc. (Ibanez) 12.18.1978
0139	015415-015424	Settlement Agreement	Acne Studios AB 04.22.2016
0152	062122-062130	Settlement/ License Agreement	Gibson Brands, Inc. and Funko, LLC 03.14.2018 / 03.23.2018
0158	111884-111903	Takedown (Page Vault)	Facebook takedown regarding Sunfield Music Store 06.01.2017
0163	115149-115156	Summary Chart (FRE 1006)	Depicting Gibson Trademark enforcement – Takedowns (1-57 sup docs)
0164	003582-003585	C&Ds (Customs)	DELESSIO, LEONARD COUNTERFEIT LETTER 12.17.2015
0170	115157-115167	Summary Chart (FRE 1006)	Depicting Gibson Trademark enforcement via US Customs Cease and Desist Letters (1-164 sup docs)
0176	009498-009506	C&D	Janus C&D and Closure letter 10.30.2015
0279	017914-017918	Materials Release Agreement	“GHOSTBUSTERS” 2016 with Columbia Pictures Industries, Inc. 07.24.2015
0281	115176-115204	Summary Chart (FRE 1006)	Depicting Gibson Materials, Image, and Location Agreements (1-245 sup docs)
0294A	115379	Excel PDF	Sales Report: Gibson Sales Figures 2011-2020
0295A	115380	Excel PDF	Gibson Excel that Breaks out Sales by Model
0319	021895	Video (Motion Picture)	Michael J. Fox doing Johnny Be Good – Back to the Future 3hr:26sec
0330	017740	Video	Branding and Marketing Planning - Dean Guitars, Luna Guitars, Ddrum Drums 13min:58sec
0332	017742	Video	Rubinson Elliott – OH webclip 2min:14sec
0334	098038	YouTube Video	From Chris Cannella Deposition (Dean videos) Dean Guitar Factory Tour Part 1 of 2 – Gearsy.com 12min:38sec
0336	020388-020391	Retailer	Gibson Guitars advertising in “Electric Guitars” product

		Website (Page Vault)	category at Guitar Center (www.guitarcenter.com) 02.20.2020
0337	021227-021230	Retailer Website (Page Vault)	Gibson Guitars advertising in "Gibson Products" product category at Sweetwater (www.sweetwater.com) 02.20.2020
0349-1		Physical Guitar	Authentic Luna Fauna Hummingbird Guitar
0349-2	018446-018447	Photos	Pictures of Authentic Luna Fauna Hummingbird Guitar headstock
0350-1		Physical Guitar	Authentic Luna Athena Guitar (SAME GUITAR AS P0762- 1)
0350-2	018448-018449	Photos	Pictures of Authentic Luna Athena Guitar headstock (SAME GUITAR AS P0762-2)
0351-1		Physical Guitar	Authentic Gibson ES Guitar – red
0351-2	064397-064400	Photos	Pictures of Authentic Gibson ES Guitar headstock – red
0352-1		Physical Guitar	Authentic Gibson Explorer - blue
0352-2	064401-064403	Photos	Pictures of Authentic Gibson Explorer headstock - blue
0353-1		Physical Guitar	Authentic Gibson Flying V Guitar
0353-2	064404-064406	Photos	Pictures of Authentic Gibson Flying V Guitar headstock
0354-1		Physical Guitar	Authentic Gibson Les Paul Guitar
0354-2	064407-064409	Photos	Pictures of Authentic Gibson Les Paul Guitar – Dove Wing headstock
0355-1		Physical Guitar	Authentic Gibson SG Guitar - black
0355-2	064410-064416	Photos	Pictures of Authentic Gibson SG Guitar headstock - black
0360-1		Physical Guitar	Authentic JHS VV60 Guitar - Vintage
0360-2	113873-113874	Photos	Pictures of Authentic JHS VV60 Guitar - Vintage
0361-1		Physical Guitar	Authentic Jackson JS Series King V JS32T Electric Guitar, Amaranth Fingerboard, Gloss Black
0361-2	113716	Photo	Pictures of Authentic Jackson JS Series King V JS32T Electric Guitar, Amaranth Fingerboard, Gloss Black
0362-1		Physical Guitar	Authentic Jackson JS32T Kelly Satin Black Electric Guitar
0362-2	113717	Photo	Picture of Authentic Jackson JS32T Kelly Satin Black Electric Guitar
0367	018316-018317	Letter	Gibson's Dealer Brief re: Dean Guitars 06.03.2019
0376	015309-015310	Instagram Post (Page Vault)	Instagram Advertisement by Dean Guitars (@deanguitars) 07.19.2019
0387	065220-065221	Instagram (Page Vault)	The Music Zoo on Instagram 07.09.2020
0391	015544-015553	Articles (Page Vault)	Article: The History of Dean – My Formal Training – A Trip to the Gibson Factory/Dean Zelinsky Guitars 07.11.2019
0419	064309-064316	Web Article (Page Vault)	Dean Zelinsky Articles (deanzelinsky.com) The History of Dean – The Famous Girl In the Water Ad 06.10.2020
0469	113722-113776	Website (Screen	Deanguitars.com screen shots

		Shots) (Page Vault)	03.31.2021
0542	ARMADILLOE DTX 00003939- 00003975	Catalog	Luna Guitars 2013 Collection
0544	ARMADILLOE DTX 00004357	Photo/ Video	Document stating produced in Native format Video – Harmony Central – Dean Guitars – Interview with Elliott Rubinson (History of Dean)
0545	ARMADILLOE DTX 00004418- 00004419	Email	Internal Email (Tony Purnell to Eric Stewart and Elliott Rubinson) re: What is old is new again – fresh modes for Dean 04.12.2012
0551	ARMADILLOE DTX 00004864- 00004866	Email	Internal email re: Elliott’s request from me – Feedback (and related emails) 11.21.2013
0553	ARMADILLOE DTX 00005303- 00005306	Email	Email from Armadillo to Kate Diaz re: Jude Gold and related emails 11.12.2011
0556	ARMADILLOE DTX 00005410- 00005412	Email	Internal Email 06.25.2011
0574	ARMADILLOE DTX 00005940- 00005941	Email	Email Armadillo to Kirk Windstein
0580	ARMADILLOE DTX 00006012	Email	Internal Email 07.10.2019
0581	ARMADILLOE DTX 00007819	Excel PDF	Excel: Armadillo Gross Revenue 1999-2018 (20 years)
0594	ARMADILLOE DTX00013878	Excel	Armadillo Financials: Sales Revenue, Operating costs, COGS, Gross Margins, material costs, Freight, Import Tariffs, paint, labor, Case, Shipping and Handling, M&A, Artist Royalties, ISR Commissions, EBITDA
0595	ARMADILLOE DTX00013879	Excel	Armadillo Financials: Sales Revenue, Operating costs, COGS, Gross Margins, material costs, Freight, Import Tariffs, paint, labor, Case, Shipping and Handling, M&A, Artist Royalties, ISR Commissions, EBITDA
0596	ARMADILLOE DTX00013880	Excel	Armadillo Financials: Sales Revenue, Operating costs, COGS, Gross Margins, material costs, Freight, Import Tariffs, paint, labor, Case, Shipping and Handling, M&A, Artist



			Royalties, ISR Commissions, EBITDA
0597	EDTX00013881	Excel	Armadillo Financials: Sales Revenue, Operating costs, COGS, Gross Margins, material costs, Freight, Import Tariffs, paint, labor, Case, Shipping and Handling, M&A, Artist Royalties, ISR Commissions, EBITDA
0598	ARMADILLOE DTX00013882	Excel	Armadillo Financials: Sales Revenue, Operating costs, COGS, Gross Margins, material costs, Freight, Import Tariffs, paint, labor, Case, Shipping and Handling, M&A, Artist Royalties, ISR Commissions, EBITDA
0599	ARMADILLOE DTX00013883	Excel	Armadillo Financials: Sales Revenue, Operating costs, COGS, Gross Margins, material costs, Freight, Import Tariffs, paint, labor, Case, Shipping and Handling, M&A, Artist Royalties, ISR Commissions, EBITDA
0640	ARMADILLOE DTX 00016723- 00016724	Email	Email from Rik Emmett to Armadillo Subject: Flying V at Rocklahoma and related emails 07.14.2008
0646	ARMADILLOE DTX 00008044- 00008047	Email	Email from Armadillo to Sonia at Guangzhou Sunpost Musical Instruments Re: Pick Guards (includes images) and related emails 04.25.2014
0650	ARMADILLOE DTX 00008091- 00008092	Email	Internal email Armadillo Re: Strangers Guitar and related emails 05.22.2012
0652	ARMADILLOE DTX 00008149- 00008157	Email	Email from Dave Mustaine to Armadillo 04.15.2009
0656	ARMADILLOE DTX 00008249- 00008252	Email	Email from Tue Bayer to Armadillo Subject: Volbeat Guitar 10.29.2014
0658	ARMADILLOE DTX 00008256- 00008259	Email	Internal email Armadillo Re: Volbeat Guitar and related emails 10.31.2014
0661	ARMADILLOE DTX 00008290- 00008292	Email	Internal email Armadillo Re: {SPAM} Re: Volbeat Gibson and related emails 08.15.2014
0663	ARMADILLOE DTX 00008296- 00008298	Email	Internal email Armadillo RE: Volbeat Guitar and related emails 10.30.2014
0675	ARMADILLOE	Email	Internal email Armadillo

	DTX 00008383		Re: Armadillo Orders Written as of: 5:04:04 PM-6/21/2019
0679	017148-017156	Blog (Page Vault)	Dean Blog: "Setting up the Dean Guitar Factory" 10.30.2019
0685	ARMADILLOE DTX 00006805- 00006806	Email	Email Chain Re: Status of next Armadillo 3.14.2019
0686	ARMADILLOE DTX 00005727- 00005728	Email	Email from Pat Baker and Josh Maloney Re: Gran Sport 08.09.2012
0706	ARMADILLOE DTX 00008384	Email	Internal Email between Evan and Pete Williams 06.21.2019
0707	ARMADILLOE DTX 00008397- 00008399	Email	Email chain from Vinnie Del Buono and Evan Rubinson 7.11.2019
0711	ARMADILLOE DTX 00005719	Email	Email from Michael Burgess and Josh Maloney 06.25.2012
0712	ARMADILLOE DTX 00005825- 00005826	Email	Email from Justin Hirschman and Josh Maloney RE: Mike from VOLBEAT 01.01.2013
0713	ARMADILLOE TX 00005869- 00005871	Email	February 19, 213 email chain from Pat Baker and Josh Maloney
0717	ARMADILLOE DTX 00008636- 00008640	Email	February 20, 2008 -May 2008 email from Elliott Rubinson
0721-1	ARMADILLOE DTX 00008961-8962	Email	Internal Armadillo Email 05.23.2018
0721-2	ARMADILLOE DTX 00008963	Photo	Attachment to 0721-1
0721-3	ARMADILLOE DTX 00008964	Photo	Attachment to 0721-1
0724-1	ARMADILLOE DTX 00005783	Email	Email RE: Eddie Veliz GS build sheet

0724-2	ARMADILLOE DTX 00005784	Excel PDF	Excel - USA Custom Build Sheet for Gran Sport for Eddie Veliz (Attachment to 0724-1)
0733	ARMADILLOE DTX 00008879- 00008880	Email	November 22, 2013 email from vinsten@vinniemoore.com to Josh Maloney
0735	ARMADILLOE DTX 00008933- 00008934	Email	Emails: Evan Robinson and Eric Stewart 11.07.2017
0746	115231-115236	Summary Chart (FRE 1006)	Depicting Gibson Trademark enforcement via Cease and Desist Letters (Bates & Bates) (1-101 sup docs)
0747	115237-115238	Summary Chart (FRE 1006)	Depicting Complaints and related filings regarding Gibson Trademarks (1-17 sup docs)
0749	062562	Video 1min:26sec	Digitized Video from Gibson headquarters (No. 114) documenting largest electric guitar built by Texas students (Flying V)
0750	115243-115244	Summary Chart (FRE 1006)	Depicting Settlement Agreements between Gibson and various Third Parties regarding the Gibson Trademarks (1-19 sup docs)
0752	114035	Video 4min:11sec	"Take My Breath Away" video by Berlin
0753	114036	Video 12min:02sec	Gibson Garage Video
0754	113876-013878	Advertisement (Page Vault)	"Vengeance" Series Advertisement on Armadillo website 07.29.2021
0756	114037	Video 3min:35sec	"Are You Gonna Go My Way" video by Lenny Kravitz
0757	114038	Video 12min:33sec	"Free Bird" (Live in Atlantic City) video by Lynyrd Skynyrd
0758	114039	Video 5min:02sec	"Sweet Child O' Mine" video by Guns N' Roses
0759-1		Physical Guitar	Authentic Epiphone Explorer Guitar - Black
0759-2	113880	Photo	Picture of Authentic Epiphone Explorer Guitar Black headstock
0760-1		Physical Guitar	Epiphone Flying V Guitar - Black
0760-2	113881	Photo	Authentic Epiphone Flying V Guitar Black headstock
<del>0761-1</del>		<del>Physical Guitar</del>	<del>Authentic Dean Thoroughbred Guitar and Headstock</del>
<del>0761-2</del>	<del>113882</del>	<del>Photos</del>	<del>Pictures of Authentic Dean Thoroughbred Guitar and Headstock</del>
<del>0761-3</del>	<del>114286-114287</del>	<del>Receipt</del>	<del>Receipt for Authentic Dean Thoroughbred Guitar and Headstock (physical guitar)</del>



0761-4	<del>114274-114276</del>	<del>Photos</del>	<del>Pictures for Authentic Dean Thoroughbred Guitar and Headstock (physical guitar)</del>
0762-1		Physical Guitar	Authentic Luna Athena 501 Guitar – red
0762-2	113883-113884	Original Listing	Original Listing of Authentic Luna Athena 501 Guitar and Headstock - red
0762-3	114291-114292	Receipt	Receipt for Authentic Luna Athena 501 Guitar and Headstock
0762-4	114256-114257	Photos	Pictures of Authentic Luna Athena 501 Guitar and Headstock
0763-1		Physical Guitar	Michael Schenker Standard Guitar
0763-2	113885-113886	Page Vault	Authentic Dean Michael Schenker Standard Guitar
0763-3	114283-114285	Receipt	Order confirmation – New Dean Michael Schenker Standard V Electric Guitar
0763-4	114258-114260	Photos	Authentic Dean Michael Schenker Standard Guitar photos
0764-1		Physical Guitar	Dean GSX CBK Gran Sport X Electric Guitar, Classic Black
0764-2	113887-113888	Page Vault	Dean GSX CBK Gran Sport X Electric Guitar, Classic Black
0764-3	114280-114282	Receipt	Order confirmation – Dean GSX CBK Gran Sport X Electric Guitar, Classic Black
0764-4	114261-114264	Photos	Pictures of Dean GSX CBK Gran Sport X Electric Guitar, Classic Black
0765-1		Physical Guitar	Authentic Armadillo Z 79 Explorer Reissue Blue Burst Electric Guitar
0765-2	113889-113890	Page Vault	Authentic Armadillo Z 79 Explorer Reissue Blue Burst Electric Guitar
0765-3	114288-114290	Receipt	Order confirmation – Dean Z 79 6-String Electric Guitar – Blue Burst
0765-4	114265-114266	Photos	Pictures of Authentic Armadillo Z 79 Explorer Reissue Blue Burst Electric Guitar
0766-1		Physical Guitar	
0766-2		Original Listing	Order confirmation - Authentic Armadillo V 79 Guitar and Headstock - Black
0766-3		Receipt	Receipt for Authentic Armadillo V 79 Guitar and Headstock - Black
0766-4		Photos	Photos for Authentic Armadillo V 79 Guitar and Headstock - Black
0768-1		Physical Guitar	Dean Gran Sport X – red
0768-2	113895-113896	Page Vault	Dean Gran Sport X – Red
0768-3	114299-114303	Receipt	Order confirmation – Dean Gran Sport X – Red
0768-4	114302-114303	Photos	Pictures of Dean Gran Sport X – Red
0769-1		Physical Guitar	Authentic Epiphone SG Guitar - Red
0769-2	113897	Photo	Picture of Authentic Epiphone SG Guitar Red headstock
0770-1		Physical Guitar	Authentic Epiphone ES Guitar - Red
0770-2	113898	Photo	Picture of Authentic Epiphone ES Guitar Red headstock
0776	CONCORDIA 00000001- 00000005	License Agreement	1997 Trademark License Agreement between Concordia Investment Partners, Inc. and Armadillo Enterprises, Inc. 07.01.1997

0777	CONCORDIA 00000006- 00000016	Amended Reinstated License Agreement	Concordia Investment Partners, Inc. and Armadillo Distribution Enterprises, Inc. 03.20.2008
0786	114048	Video	Dean Guitars NAMM 2008 Josh Maloney talks about new Deans
0790	114058-114062	Page Vault	Gibson Generation Group
0793	ARMADILLOE DTX00005720	Email	Email with Michael Burgess and Josh Maloney – RE SG Handy